

# Law Enforcement News

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## Join us in cyberspace!

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## Cleaning up their acts

### Study finds fewer arrestees on coke, crack; officials optimistic

The number of juvenile and adult arrestees who had used cocaine or crack, its smokable derivative, shortly before being taken into custody declined substantially between 1987 and 1996, according to a new report from the National Institute of Justice's Drug Use Forecasting program.

The DUF program, which bases its data on quarterly urinalyses and interviews of suspects in police custody, observed double-digit decreases in crack use among arrestees in several major U.S. cities during the 10-year period. Researchers believe this trend may signal the beginning of the end of the crack epidemic that has devastated many of the nation's inner cities and helped to drive crime rates skyward.

Researchers found that cocaine and crack use fell sharply among young arrestees between the ages of 18 and 20, a group responsible for a disproportionate number of crimes. The study hailed that finding as an important one suggesting that future crack use will decline or rise more

slowly as this group ages.

The report, titled "Crack's Decline: Some Surprises Across U.S. Cities," said the biggest decreases in the 18-20 age group occurred in Detroit, Philadelphia, Washington, D.C., and the New York City borough of Manhattan.

The proportion of youthful arrestees testing positive for cocaine or crack use in Manhattan dropped from 70 percent in 1987 to 21 percent in 1996, while Philadelphia reported the same level of decrease between 1988 and 1993. In Washington, the rate fell from 64 percent in 1989 to 35 percent in 1996. Detroit had the sharpest decline of all — from 45 percent in 1987 to 5 percent in 1996.

"Substantial declines" of at least 10 percent were observed in Cleveland; Dallas; Houston; Los Angeles; New Orleans; San Diego, and San Jose, Calif., the report added. Data from the DUF program, which currently operates in 24 major U.S. jurisdictions, "suggested declines in the overall rate were forthcoming" in Miami;

Chicago, Birmingham, Ala.; Fort Lauderdale, Fla.; Kansas City, Mo., and Portland, Ore.

Some jurisdictions, most of them located in the Midwest and the West, are still struggling with a crack epidemic, the data indicate. Among them, Atlanta; Denver; Indianapolis; Phoenix, Ariz.; and St. Louis.

Data from two DUF sites — Omaha, Neb., and San Antonio, Texas — suggest that crack use has not yet reached epidemic proportions, the report stated.

The study said that the crack epidemic, like other drug-use trends observed over the years, is following a natural course from incubation to decline since it first appeared in the mid-1980s. The report outlined the trend as first manifesting itself first in a small group of hard-core users of other drugs who are the first to try the drug in a particular area — the menhation stage.

That is followed by a rapid expansion phase in which use spreads to their friends. Once the

Continued on Page 9

## Community policing gets a high-tech boost with auto-dialing alert network

Law enforcement agencies are finding that computerized auto-dialing systems, which allow authorities to send pre-recorded messages about crime trends, suspicious persons and other concerns to scores of residences via telephone, offer a quick and relatively easy way to keep communities informed.

The Baltimore County, Md., Police Department has been using such a system for about two years to notify county residents about burglaries, robberies and motor-vehicle thefts that may be occurring in their neighborhoods, said Philip Canter, the department's chief statistician.

Canter, who has made the rounds of police and criminal justice conferences in recent months to extol the virtues of the auto-dialing system, which he says has helped residents take precautions against particular crimes. And in some

In just minutes, Baltimore County police can warn entire neighborhoods of crime problems even while alerting households individually.

eases, he added, using the system has resulted in an outpouring of tips that have led police to wanted suspects.

The system cost just \$5,000, which was obtained by the agency through a grant from the Maryland Motor Vehicle Theft Prevention Council, making it "a very cost-effective way of getting the word out to people who might be potential targets," Canter said.

"We can very quickly — really in a matter of minutes — identify all of the households in a community that's ex-

periencing a crime problem. We enter the phone numbers automatically through a computer to the auto-dialing system, and within minutes, we can deliver our message to people, alerting them to the problem and giving them suggestions as to what they can do to reduce their chances of being victimized," Canter told Law Enforcement News.

Canter, who recently held a presentation about the system for the White House Office of Domestic Policy, said

the Police Department has software that it can use to track outcomes that occur after the system is activated, helping officials gauge how effective it is.

"This is a really important way of using technology to enhance crime prevention, which we all know is the key to reducing crime. The outcomes for us generally have been favorable. Either we see a significant reduction in crime, or in some cases, people who've received the calls have identified perpetrators, leading to arrests," Canter said.

Crime analysts have found that use of the system sometimes results in displacement of a crime problem, "which we've learned to anticipate and plan for" once criminals learn that areas they target have received alerts from police, Canter noted.

"But there's an increase in certain types of calls for service that suggests

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## LA pupils know the drill: When you hear gunshots, it's time to drop & take cover

Think of it as a sad commentary on the state of our schools: Teachers and administrators at many inner-city schools in Los Angeles say teaching children to drop-and-cover when they hear gunfire is absolutely necessary after incidents of both teachers and students being hit by stray gunfire.

"You lie flat down and cover your head," said Luis Campos, a 12-year-old from Lennox. For some, the routine is familiar from old nuclear attack drills during the Cold War years. But that drill has been modified to the new reality of bullets flying outside classrooms.

In the 1995-1996 school years, the

most recent for which statistics are available, one person was killed and another injured in shootings on city school district campuses. In addition, five children were shot — two fatally — as they walked home from school, police said.

In February 1996, Alfred Perez, a teacher at the Figueroa Street Elementary School, was struck by a bullet that came through the window of his fifth-grade classroom. The children ducked when the bullet flew in, then crawled out of the room and stayed on the floor until teachers told them it was safe to stand.

The drop-and-cover drill, which was credited with saving the students' lives, is practiced at least once a month, said the school's principal, Rosemary Lucente. "It's unfortunate when you live in a big city, but those are the facts of life," she told The Los Angeles Times. "It's important that parents feel this is an oasis, it is a safe place to be. I think we're accomplishing that with these procedures."

While crime nationally has declined, and shootings on school campuses are relatively rare, when one does occur, the media attention can be intense — hence the drills. School safety experts

say the fear of errant bullets has become the "nuclear war" of the 1990s.

"There's a big difference between 1997 and 1957," said Ronald Stephens, executive director of the National School Safety Center, a joint program of the U.S. Departments of Justice and Education. "There have been enough incidents of shootings and weapons on campuses that the concept of shooting drills has entered discussions in schools all around the country."

At the Marvin Avenue Elementary School, Principal Anna McLinn instituted so-called "pancake drills" because

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# Around the Nation

## Northeast



**CONNECTICUT** — The state chapter of the NAACP wants to recruit drivers for a study on whether New Haven police are singling out black motorists for traffic stops.

Workers at the Department of Social Services have been warned by their superiors not to give police access to the new welfare fingerprinting system. The system is kept to avoid welfare fraud, and to use it for other purposes is illegal, said a memo.

**DELAWARE** — The Harrington City Council has decided to take no action after Police Chief Frank Melvin admitted to making a mistake when he dropped a drunken driving ticket against the son of a councilman. Melvin offered to resign over the incident.

Police arrested 201 people in the first seven weeks after a new crime-fighting effort was launched in Wilmington on June 9. The Operation Safe Streets initiative includes increased police presence in troubled areas and unannounced visits to parolees.

**MASSACHUSETTS** — Three female counselors at the Norfolk County House of Corrections filed a complaint in August that Sheriff John Flood used profane language in their presence and then reacted furiously and threatened their jobs when they reported it. The women alleged that Flood used insensitive, sexist and inflammatory language during remarks at a graduation ceremony of participants in the jail's Alcoholics Anonymous program. Flood strongly denied having threatened the women's jobs, but admitted to reacting strongly when they asked to see him privately after the ceremony about his speech.

U.S. Representative Joseph P. Kennedy II (D-Boston) unveiled a bill in August that would offer owners of convenience stores low-interest loans to buy safety equipment. A \$50 million revolving fund would be set up for owners of stores that gross less than \$700,000 a year.

The Boston Police Internal Affairs Division has recommended that disciplinary charges be brought against two patrolmen for allegedly allowing a drug informant to drink in a cruiser several hours before being involved in an automobile crash that took the life of a civilian. The decision comes seven months after the accident that killed Juan V. Chavez, 25, of Everett. Ramin B. Mojabi, 32, a paid drug informant for the Federal Government, said he had spent part of the night drinking beer in a police cruiser with Officers Thomas P. Traynor, 61, and Joseph A. O'Malley, 56, as well as in an after-hours bar maintained by Boston police officers. Mojabi was alone in his car at the time of the accident.

**NEW HAMPSHIRE** — Two state troopers, a town judge and a newspaper editor were killed Aug. 19 by an elderly man who went on a rampage through rural New Hampshire and Vermont. Carl Drega, 67, also wounded four other officers before being killed

in a shootout with police. The episode started when Drega tried to rob a grocery store in Colebrook, just south of the Canadian border, but was interrupted by troopers Scott Phillips and Leslie Lord. He killed the troopers with an assault rifle and fled in their cruiser. Driving to a building that housed a weekly newspaper and the law offices of part-time Judge Vickie Bunnell, he chased the judge through the newsroom before fatally shooting her in the back, then killed the newspaper's editor, Dennis Jones, who tried to tackle Drega. The gunman's trail then took him to Vermont and back into New Hampshire, wounding more police along the way, before he was cornered and killed. The following week, a rookie Epson police officer returning from the troopers' funeral was killed in a shootout. Officer Jeremy Charron, 24, was shot when he stopped a car along a rural road. Two suspects were arrested after a highway pursuit and gun battle with another officer.

**NEW JERSEY** — In a 2-to-1 ruling in August, the U.S. Court of Appeals for the 3d Circuit on Aug. 20 rejected a challenge to Megan's Law from the state's public defenders and upheld the right of county prosecutors to notify local residents and community groups about convicted sex offenders in their neighborhoods. The appellate court is the highest federal tribunal thus far to rule on the community-notification laws, now on the books in all 50 states. The court did ask that the state change its procedure for classifying sex offenders, putting the burden of proof during risk-assessment on the state rather than the ex-convict.

Under a bill signed by Gov. Christine Todd Whitman on Aug. 18, any municipality with more than 270,000 residents can form special police squads to patrol buildings and other property run by the local housing authority. Currently, only Newark qualifies. The housing police would go through the same training as police and would be allowed to carry firearms, but they will be considered separate from the municipal police force.

**NEW YORK** — New York City police investigators are looking into links between an officer who was slain execution-style on Aug. 26 and his wife, the ex-lover of a reputed mob figure. Ralph C. Dols, a 28-year-old housing officer, was shot five times in front of his Brooklyn home. He died on the operating table. His widow, Kim Kennaugh, 38, once lived with Joel Cacace, who has been identified in federal court as acting underboss of the Colombo organized-crime family. Officials said her brother, August, has also been identified as a Colombo soldier. He was convicted of the 1981 murder of a Queens restaurant owner. Kennaugh's first husband was shot to death in 1987 as he sat in his car in South Brooklyn. That homicide has never been solved. Investigators said there is no indication that Dols' murder had anything to do with police work, or that he had mob connections or knew of his wife's links to organized crime.

Ex-New York City police officer David Rios's request for an appeal on his perjury conviction was denied without comment in August by the state's highest court. Rios, who was sentenced

to 18 months to 4½ years in prison, was one of more than 30 officers caught up in the "Dirty 30" corruption scandal in Harlem.

Yonkers Police Officer Robert Clarke agreed to resign from the force and to never seek work as a law enforcement officer again, as part of a plea bargain in connection with a bias attack on a black man in Manhattan on March 27, 1996. Clarke, who was off-duty, and his brother, Thomas, repeatedly used racial epithets while pummeling and kicking Ernest Champell in the head. Champell, 32, is a freelance news writer for WNBC-TV. A transit police sergeant and transit police officer on patrol saw the attack and tried to intervene, but police said the Clarks continued to beat Champell.

Fifty-seven confidential New York City police reports were found in August dumped in a trash can under an expressway in Brooklyn. The files, which came from the 71st Precinct, included crime victims' names, addresses and the details of crimes. They had apparently been tossed by a police officer who had taken them home to compile statistics. The cases had already been entered into the department's computer system, so no information had been lost.

Victims of domestic violence in Queens will be receiving an electronic pendant device that can send an emergency call to police when activated. The pendant is directed at women in the highest risk category for domestic abuse, including those who have tried other protective options without success.

A Buffalo police lieutenant with a long-standing alcohol problem was suspended without pay in July after four people claimed that, while still dressed in uniform, he talked incoherently, held his service revolver against several people's heads and threatened to kill them. Sources told The Buffalo News that Lieut. Michael Schuta's alcohol problem had never before manifested itself while he was on duty. Various people, they said, had tried to talk to him about getting treatment in the past, but Police Commissioner R. Gil Kerlikowske noted that, officially, action can only be taken when there is a specific violation of department rules.

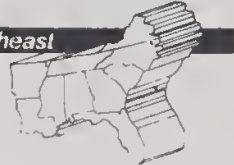
A federal judge ruled Aug. 21 that former New York City Mayor David R. Dinkins and former Police Commissioner Lee Brown cannot be held personally responsible for the attacks on Hasidic Jews during riots in Crown Heights in 1991. The decision stemmed from a 1992 lawsuit in which plaintiffs claimed the two officials had withheld police protection by ordering that black demonstrators not be arrested for minor crimes during the several days of unrest. The court found that neither Dinkins nor Brown could be held responsible for actions made in their official capacities.

The U.S. Court of Appeals for the Second Circuit on Aug. 22 reversed a lower court and reinstated the state's version of Megan's Law. The court found that the law was not intended to further punish paroled sex criminals, but to give parents a chance to be vigilant. A federal judge in Manhattan last year blocked local police departments from releasing to the public the names,

addresses and pictures of ex-offenders, saying that such a measure was "extra punishment" on parolees.

**RHODE ISLAND** — Police may issue \$30 fines on the spot to anyone caught littering, under new legislation signed in August by Gov. Lincoln Almond. Officers will no longer have to appear in court, a process that discouraged the writing of such tickets.

## Southeast



**FLORIDA** — Three herbal products, Solar Ray, Stacker 2, and Generation X, were outlawed by the state in August because they contain too much of the stimulant ephedrine.

**GEORGIA** — Taking advantage of a change in state law, the Georgia Bureau of Investigation is getting ready to put information about sex offenders on the Internet.

**LOUISIANA** — Just hours after the state passed a law giving motorists the right to shoot and kill carjackers, one teen-ager was murdered and another was wounded by two men who stole their car. Damian Durke, 19, died at the scene. Kelso Montgomery, 18, was able to summon police. While proponents of the law say deadly force is needed, pointing to a carjacking case in New Orleans that ended in rape and murder, critics call the new law a case of legislative overreaction.

Paul Fuxan, accused of a shooting a woman in the head and a man in the face in a New Orleans apartment in August, shot two St. Tammany's Parish deputies who came to arrest him. Fuxan approached the deputies as they arrived at this home, pulled out a weapon and began firing, said Sheriff Jack Strain. Deputy 1st Class Scott Wanner underwent surgery for a bullet that nicked his lung and his liver and is reported in good condition. Lieut. Don Sharp was released after treatment for a minor shoulder wound. Wanner, Sharp and other deputies returned fire, killing Fuxan.

**NORTH CAROLINA** — Forsyth County sheriff's deputies shot to death a man armed with a machete, hatchet, and ax after he threatened people at a county park. Officers tried to subdue the victim with pepper spray but he kept advancing and allegedly threw an ax at a deputy.

More than 460 Charlotte-Mecklenburg Police Department vehicles will be equipped with laptop computers capable of providing officers with instantaneous access to information before they approach a vehicle, house or suspect. Officers can retrieve motor vehicle records, police reports, geographic information systems, criminal warrants and other information from national, state and local data bases.

Under an amendment added by the House to a pending Senate bill, sex offenders ages 7 through 12 would be required to register with the local sheriff until they are 18.

**SOUTH CAROLINA** — Arthur

Haley, a former Ku Klux Klansman, has been sentenced to 21½ years in prison for conspiring to burn a church with a predominantly black congregation, as well as a migrant labor camp. Haley said he did not conspire to set the 1995 fires and recanted his guilty plea, which he said he had made because he was promised better medical treatment in Federal prison.

**TENNESSEE** — A Covington police sergeant was killed and an officer was wounded Aug. 14 when they responded to a call about a man threatening to commit suicide. Brad Morrison, who is believed to suffer from mental illness, shot Patrolman John Sulphur and Sgt. Charles Bridges, then held 30 police officers and a SWAT team who had surrounded his house at bay through an afternoon standoff.

Hamilton County judges recently learned that a house arrest program was monitoring people only eight hours a day when 19-year-old Todd Peterson was killed by a man supposedly being monitored around-the-clock. Judge Robert Moon said he would not use the program again until changes are made.

**VIRGINIA** — The state's Crime Commission is currently crafting Virginia's own version of Megan's Law, a proposal to notify residents when a convicted sex offender has moved into the neighborhood.

Emmett Cressell Jr., 42, one of two white men accused of setting a 40-year-old black handyman on fire and decapitating him, will cooperate with prosecutors in their case against Louis J. Ceparano. Ceparano was described as a longtime drinking buddy of Cressell's. The two men allegedly dragged the victim, Garnett P. Johnson, from a trailer where the three had been drinking and burned him alive. Federal authorities are investigating to determine whether the crime was racially motivated.

## Midwest



**ILLINOIS** — A decision to deny line-of-duty death benefits to the family of slain Chicago police Sgt. Michael Garner has become a political brush fire. Garner was fatally shot in July after confronting a reputed gang member while in an unmarked patrol car. Death benefits were denied, said officials, because Garner never identified himself as an officer to his attacker. Several Aldermen who met with members of Mayor Richard Daley's administration and the chairman of the five-member Police Department awards committee, which denied the line-of-duty benefits, said their constituents are clamoring for Garner's family to receive the additional \$80,000.

**KENTUCKY** — The state attorney general's office has been asked to render a decision on whether a Booneville forest warden known for cracking down on illegal dumping may carry a firearm on the job. The warden, Steve Addison, was served with a termination notice in July after he was seen wearing an un concealed handgun. He was suspended and placed under investigation by the State Police. Some local officials agree with Addison's assertion that he



needs a weapon in the face of hostile and confrontational offenders. Lee County Attorney Thomas Jones said it is unclear whether Addison is considered a conservation officer, which would entitle him to carry his gun.

**MICHIGAN** — A jury on Aug. 11 found former Detroit police officer Alphonso Dowell guilty of conspiracy to distribute cocaine and interstate travel in aid of racketeering. Dowell, 41, faces 10 years to life in Federal prison. Dowell was the only one of seven men, including four former Detroit police officers, who went to trial. The others pleaded guilty in exchange for reduced sentences. The investigation began when Officer Carl Webster was found with \$2.5 million worth of cocaine hidden in his car.

**OHIO** — Hamilton County is reportedly saving both time and money with a new DNA laboratory built with funds accrued from when the county left a chief deputy coroner's position vacant in 1996. The first case that will use evidence derived from the lab will be the murder trial of Robert Perkins Sr., 48, who is accused of murdering his wife, Lillian, last January. The trial will also mark the first time a local technician has testified as a DNA expert in the county.

Two Cincinnati police officers are back on their beats in the city's Second Ward after being cleared of wrongdoing in an harassment complaint filed by residents. The accusations surfaced during community meetings about Russell Rodgers, 25, who died while in police custody. Residents had accused police of beating Rodgers, but a coroner's report shows Rodgers died after eating a large amount of crack cocaine. Three other officers have not yet been returned to their beats in the Second Ward, said Police Chief Simon Fluckiger, because they were involved in the Rodgers case.

**WEST VIRGINIA** — A six-week, \$4,000 police experiment aimed at controlling hordes of teen-agers who loiter at Teays Valley businesses after hours was ordered by Putnam County commissioners in August. Sheriff Stan Farley will be required to give the county commission the names of everyone arrested during the period, and business owners must support prosecution, even if it is the child of a valued customer. The commission will pay overtime to off-duty deputies to patrol trouble spots in the area.

**WISCONSIN** — The Madison City Council has approved a law that would allow police to ticket individuals they believe may be selling drugs. Critics charge that the ordinance, which would target people found in known drug areas, would infringe on civil liberties.

The juvenile jail in Douglas County may be looking at a \$1-million increase in its \$2.5-million budget, due largely to overcrowding and a watchful, get-tough stance toward youthful lawbreakers. The new 144-bed facility, which was due to open this month, would see its staff level rise from 45 to 96 employees, with supervisors assigned to constantly monitor groups of 10 to 12 youths. Costs may also rise at the adult jail, which during the last fiscal year ran about \$206,000 over its \$10.8-million budget.

Groups for the elderly in Fremont were joined in August by the sheriff's and police departments to form TRIAD, with a focus on educating older people about scams.

Some \$1.5 million in Federal funding will be given to the Nebraska Law Enforcement Training Center in Grand Island to develop Internet-based courses that will help train officers in far-flung reaches of the state.

The Omaha City Council in August began reviewing Mayor Hal Daub's 1998 priorities for the Police Department that include an increase in spending from \$55 million to \$63 million; a new southeast precinct station and initial funding for an \$8-million regional police/fire training center, and a proposal to keep staffing levels at 700. The focus in 1998, Daub said, would be on improving technology, equipment and training facilities. The time to hire officers will be in 1999. Councilman Frank Brown, however, said that Daub's focus on technology and facilities has led to resentment among some residents. He would like to see more face-to-face interaction between police and the public.

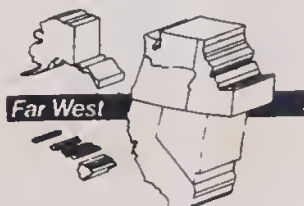


**COLORADO** — Two mobile cameras

will be installed in Denver to catch speeding drivers. No points will be imposed on an offender's record, however, and the maximum fine under a state law dealing with traffic cameras is \$40.

**NEW MEXICO** — St. Vincent Hospital in Santa Fe has set up a separate emergency room for rape victims. The new Sexual Assault Nurse Examiners (SANE) unit is staffed by nurses trained in the forensics of rape investigations and how to testify later in court. Victims who come to the unit are not required to notify law enforcement, but are encouraged to do so. Barbara Goldman, executive director of the Santa Fe Rape Crisis Center, said the state has three times the national incidence of rape, and Santa Fe has the highest rate in the state.

**TEXAS** — A grand jury in August declined to indict a Marine corporal who shot and killed an 18-year-old boy herding goats in a town along the U.S.-Mexico border. The military said Cpl. Clemente Banuelos acted in self-defense when he shot Esequiel Hernandez Jr. after the victim fired at a group of Marines on anti-drug patrol. District Attorney Albert Valadez said grand jurors told him they believed the Marines, and thought Hernandez did not see them in their camouflage outfits when he fired in their direction.



**CALIFORNIA** — A 13-year-old Los Angeles boy was cleared in August of the murder of a beloved community activist. Superior Court Judge Cecil Mills ruled that prosecutors did not prove that the boy, 11 at the time, had fired the stray bullet that hit 82-year-old Viola McClain last year. The boy was due to be sentenced on Sept. 17 for the gang-rape of a 13-year-old girl. A 16-year-old boy still faces murder

charges in McClain's death

The state Supreme Court has granted a partial retrial to Ellie Nesler, a woman convicted of manslaughter in the 1993 shooting of her son's alleged molester. Nesler shot 45-year-old Daniel Driver in a courtroom during a recess in his preliminary hearing on charges he sodomized her 7-year-old son. She was sentenced to 10 years in prison. The Supreme Court found bias by a juror who told other jurors that Nesler was a bad mother and a drug user.

The state Attorney General's office concluded in August that a West Hollywood ban on so-called Saturday night special handguns should be lifted because it directly conflicts with the state's authority to regulate firearms. The West Hollywood law, which has served as a model for some 30 cities and counties statewide, calls for fines of up to \$1,000 and six months in jail for those who sell the handguns in violation of the ban.

The Pasadena City Council in August repealed a 1995 ammunition-registration law which police had called worthless. The law required bullet buyers to write their name and address in store ledgers. The information, however, could not be used in court.

Los Angeles County Sheriff's Deputy Shayne York was shot in the back of the head execution-style Aug. 15 during a heauty salon robbery in Buena Park. York, 26, was unarmed and off-duty when the robbers found his law enforcement identification, said investigators. He and his fiancée, fellow deputy Jennifer Parish, were visiting Parish's sister, an employee, when the two men burst through the door and ordered everyone to the floor. They stole \$11, Parish's engagement ring and other items before realizing York was a deputy and shot him. If was not clear if the suspects knew Parish was also a deputy. York suffered major brain damage, and his family was said to be grappling with the decision of whether to turn off life support. The suspects were

arrested.

**HAWAII** — The Honolulu City Council is considering a bill that would require a review of the police chief's performance every five years. The change would require voter approval.

The Hilo County Council has decided to spend another \$55,000 on top of the \$420,000 already spent to defend police officers accused in a Federal lawsuit of cheating on police promotional exams. The police union sued the county and police officials over the alleged cheating last year.

**IDAHO** — FBI agent Lon Horuich, a bare knuckle sharpshooter, was charged Aug. 21 with involuntary manslaughter in the death of Vicki Weaver, wife of white separatist Randy Weaver, during the 1992 standoff at Ruby Ridge. A friend of Weaver's, Kevin Harris, was charged with first degree murder in the death of U.S. Deputy Marshal William Degan. If convicted, Harris could face the death penalty.

**OREGON** — The state Supreme Court ruled Aug. 21 that detaining a car while waiting for a drug-sniffing dog to arrive is an unconstitutional seizure. The decision supports a lower-court ruling that says police must have a search warrant in such situations.

**WASHINGTON** — A two-year-old law requiring tougher sentences for people who commit crimes with deadly weapons was upheld Aug. 21 by the state Supreme Court.

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**NEBRASKA** — Thumbprints will be required by more than 100 banks for those wishing to cash checks at banks other than their own. The approach has already been adopted in 29 states to prevent fraud.



## Major addition

Tulsa, Okla., police Maj. Carolyn Kusler, who was to be sworn in last month as police chief in nearby Broken Arrow, says she attaches no special significance to her appointment, noting that women have proved to be competent police officers who can stand on their own accomplishments.

"I don't really attach any special importance to it," she told Law Enforcement News shortly after her appointment on Aug. 8. "I think I was hired because of the qualifications I presented. Certainly, there have been other females chiefs throughout the country. It's really not ground-breaking."

Broken Arrow City Manager John Vinson chose the 55-year-old Kusler to replace Gary Scherer, who left the post after only four days on the job. Scherer, a former Kansas City, Mo., police official, had succeeded longtime Chief J.R. (Snokey) Slover, who retired last year.

Kusler is a Tulsa native who joined the Police Department there in 1974 as a patrol officer and gradually worked her way up the ranks to become the agency's first female major. She said she decided to apply for the Broken Arrow job in the wake of Scherer's abrupt departure.

Broken Arrow, which has a population of 70,000 and is located directly southeast of Tulsa, is like many U.S. cities its size, Kusler said, in that it is experiencing an overall decline in



**Chief Carolyn Kusler**  
*Gender is not an issue.*

crime, Kusler said. "From what I've seen, the only crime that is really on the increase is domestic violence," she said, adding that the city has not recorded a murder since 1991.

Kusler has distributed a four-question survey to all Police Department employees to find out "what [the department's] strengths and weaknesses are...and what they think can be done to meet challenges and maintain its strengths," she said.

Kusler, who was in charge of the Tulsa PD's Special Investigations Division at the time of her selection, pointed out that the two agencies have conducted joint operations to snare drug dealers and gang members. She said she expects that close relationship to continue. Being close to Tulsa, she added, "makes it very nice because I'll be able to call on them, network" and stay in touch with friends there.

While Kusler downplayed her appointment as Broken Arrow's first woman police chief, she observed that law enforcement attitudes about women in policing have changed for the better over the past 25 years. When she joined the Tulsa police in 1974, she was one of about five women on the force; now there are over 100, she noted.

"I don't think there's the harassment in general," she said. "They know we can do the job, and we bring certain qualities that actually enhance policing operations. They see us as more of a complement to the male officers now. The door of opportunity is open, and those [women] who are really interested in a law enforcement career will find the doors open for them."

## Suddenly Susan

The Washington, D.C.-based National Victim Center in August found a new executive director in the person of Susan Herman, a lawyer and victims' advocate long committed to issues of domestic abuse and rape.

Herman is the former director of the Domestic Violence Division of Victim Services in New York, said to be the largest local program in the country. While at that post, she also chaired the Police Commissioner's Domestic Violence Advisory Committee and co-chaired New York City's Inter-Agency Task Force against Domestic Violence.

Herman received a law degree from the Antioch School of Law. From 1985 to 1990, she served first as assistant and then as special counsel to the New York City police commissioner. She has also

## Not exactly wild about Harry

Long-time Texas chief leaves amid controversy, criticism

The recent retirement of Grand Prairie, Texas, Police Chief Harry Crum has fueled speculation about his reasons for leaving the agency he led for 12 years, particularly since it comes as the department is under fire for alleged brutality, including the fatal shooting of a homeless man.

In the months leading up to his July 22 retirement, Crum, 48, reportedly became a lightning rod for criticism. The fatal shooting in October 1996 of Joe Lee Calloway, a homeless man who reportedly suffered from mental illness, has resulted in murder charges against Officer Blake Hubbard, whose trial was due to begin in August.

Crum fired Hubbard following the shooting, which strained relations between residents and police. But it also damaged his support among officers, many of whom felt he did not come to the defense of one of their own.

Calloway's survivors have filed a Federal civil rights lawsuit, and attorneys for both sides said they expect damaging revelations about the department to surface in testimony given at both the civil and criminal trials.

Crum's exit also occurred just days after he learned that the Grand Prairie Police Association was considering a no-confidence vote against him. The Dallas Morning News reported. Association president Kenny Lee did not return

calls from Law Enforcement News for comment on the situation, nor could Crum be reached because his telephone number is unlisted.

Crum, whose last day on the job was Aug. 31, insists that his decision to step down was made more than a year ago. "This is something I've been planning since 1996, when I reached 25 years at the department," Crum told The Morning News. "I know it certainly looks suspicious, but I've weathered a lot worse than this. If I was waiting for a good time to do this, I'd be up here forever."

Commenting on the police union's action, Crum said he was told he had the support of the group's executive board. But officer frustration over the Hubbard shooting had eroded morale, spurring support for the no-confidence vote. "I don't know if they did that and if they did, what the results were," he said of the vote.

Nevertheless, Grand Prairie officials said they supported Crum and did not force him to step down. "This was entirely Harry's decision," said said City Manager Gary Gwyn, who appointed Deputy Chief Charlie Miller as interim chief.

At least one local official said he believes the recent controversies and lawsuits were probably major factors in Crum's retirement. "I think he was probably under political pressure, and I think the [City] Council could be the source of it," said Ed Hemphill, a former city councilman. "What the Chief did was based on what he felt was necessary. The Chief also felt he

had the welfare of his men in mind, although some of them didn't see it that way."

Lee Alcorn, a city resident who heads the Dallas chapter of the NAACP, said Crum walked a "real tightrope" as he tried to support his officers while also trying to appease public concerns about police misconduct. "Apparently, he didn't make it," he said.

Meanwhile, a lawyer for the Calloway family said he had uncovered a pattern of police misconduct dating to the late 1980s. Cameron Spradling charged that the crime scene at the Calloway slaying was "tampered with" and "improperly preserved."

Spradling said he believes disclosures made by the Chief during his deposition most likely led to his retirement. Crum, he said, "is being used as a scapegoat by the city of Grand Prairie because they are anticipating the citizens becoming fully aware of what's going on."

But Crum denied the lawyer's claim, calling it "posturing...to get some attention. Sure, it looks bad because all the public sees is one side. We aren't able to get up and talk about it because of pending litigation."

Crum added that he leaves the department with no regrets. "I've always tried to do what's right," he said, "and not feel pressured from one side or another... I'm not in this thing for a popularity contest."

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been director of mediation services for the Institute of Mediation and Conflict Resolution, an instructor at the New York University School of Law, and a staff attorney with the National Organization for Women Legal Defense and Education Fund.

Herman is married to Jeremy Travis, director of the National Institute of Justice. They live in Bethesda, Md., with their two daughters.

The National Victim Center, a decade-old agency that has worked with over 8,000 grassroots groups and agencies serving crime victims, has helped 29 states write and pass constitutional amendments guaranteeing victims' basic rights of notification, and presence at criminal justice proceedings.

## Making a killing

As murder becomes an ever more appealing option for the cheating husband, disgruntled wife, or angry business partner, police departments across the nation are training officers to pose as hit men. Enter George Forsythe, a hairy-faced Maryland state trooper whose specialty is murder-for-hire.

A 13-year veteran working undercover for the agency's Bureau of Drug and Criminal Enforcement, Forsythe has worked dozens of such cases during the past eight years. By posing as a man crazy enough to do anything for

money, he gains the confidence of clients who end up venting their spleen — and homicidal desires — onto his tape recorder. Twenty of Forsythe's cases have ended in convictions or guilty pleas.

"Usually it's husbands or wives who want to kill the other over child custody or alimony," said Forsythe.

As part of his *snick*, Forsythe tells clients when an idea isn't credible, and suggests another. In one case, a woman wanted him to stage a drive-by shooting to get rid of her spouse. Instead, Forsythe recommended a carjacking in which the husband would be shot because he refused to give up his beloved Cadillac.

He was offered \$75 by a jilted lover to put a mercury-soaked rag under the seat in rival's car. The fumes would eventually kill the driver. "I told the guy that for \$75, all I'd do was hit the guy on the head with a baseball bat," Forsythe told The Associated Press.

Most of his clients are referred to him by ex-cons who contact authorities instead of finding an actual hitman when approached by someone who wants a murder done. Most of these are from the suburbs, since street gangs and mobsters do not use outside labor. They seem as ordinary as the guy next door; some wealthy professionals, and others barely able to pay \$100.

Forsythe makes absolutely certain that a murder is intended before making an arrest. "I don't want to make a mistake with someone who's just having a bad day."

## Inside track

Eleanor Holmes Norton, the District of Columbia's Congressional delegate, has recommended that Wilma A. Lewis, currently the inspector general of the Interior Department, be named as the district's top Federal prosecutor.

If nominated and confirmed, Lewis would be the first black woman to lead the nation's largest U.S. Attorney's office, which has 310 lawyers, two-thirds of whom prosecute criminal cases.

The post has been vacant since Eric J. Holder Jr. left after being confirmed as deputy attorney general on July 17. President Clinton nominated him to the Justice Department's No. 2 position in May, succeeding Jamie Gorelick, who returned to private life.

Norton said Lewis would be the kind of "reform-minded, proactive U.S. Attorney" the city needs as its criminal-justice system undergoes change.

At Interior, Lewis runs the office responsible for investigating and and preventing fraud, waste and mismanagement. A Harvard Law School graduate, Lewis served from 1984 to 1993 as deputy chief in the U.S. Attorney's civil division.

Lewis told The Washington Post that she would continue the "fine tradition" of building "strong ties between the U.S. Attorney's office and this community" begun by Holder.



# Conn. ruling opens internal affairs records

The Connecticut State Police Union may have to lobby the Legislature to ensure that internal affairs records are protected, following a recent court decision that made some of the files subject to the state's open-records law, the union's chief attorney said last month.

"We have a very sorry state of affairs right now in terms of our Freedom of Information law and State Police officers," said CSPU general counsel Robert Krzys, reacting to a ruling handed down July 16 by the Connecticut Supreme Court.

The court ruled that a State Police internal affairs report may be publicly disclosed, even though a trooper is cleared of a citizen's complaint of police brutality. In the same decision, The Hartford Courant reported, the court said State Police officials do not have to disclose another internal affairs report on a citizen's complaint that a trooper was having an affair with the complainant's wife.

The court's ruling affirmed that the public has a legitimate interest in knowing how thoroughly brutality complaints are investigated, but that there is no such legitimate interest in troopers' personal relationship when no misconduct is present.

The state Freedom of Information Commission had ordered the reports made available to the civilians who had requested them, prompting an appeal by the Department of Public Safety, which represented the officers as the umbrella agency of the State Police.

The appeal by DPS maintained that disclosure would hamper the troopers' ability to work in the community despite being cleared of misconduct. Further, the appeal contended, the public has no legitimate interest in internal investigations resulting in the subject's exoneration.

A trial court had upheld only the disclosure of the brutality investigation — a decision now affirmed by the Supreme Court. "The trial court determined that there was a legitimate pub-

lic concern in the official response to a citizen's complaint of a police assault and use of excessive force," wrote Senior Associate Justice Ellen A. Peters, who added that being cleared of the accusation did not "overcome the public's legitimate concern for the fairness of the investigation leading to the exoneration."

Justice Francis M. McDonald disagreed with the majority, writing in his dissent: "There is no evidence of a pattern of such complaints that might require public disclosure in the public interest. Rather, there an attorney is seeking material for a future lawsuit against the trooper."

The second case, the justices ruled, fell into a narrow exception to disclosure of personnel records it had outlined previously in a 1993 ruling. At that

time, the court ruled that records of public employees were exempt from disclosure under the "invasion of personal privacy" provision of the state's Fol law if they met two criteria — the documents had no legitimate public interest, and release of the documents would be "highly offensive" to a reasonable person.

The court ruled unanimously that the case involving the adultery allegation met both tests. "The [Fol] commission argues that, because a state trooper is a public official, every aspect of a trooper's personal life is always a matter of legitimate public concern as long as it is contained within a report that is the product of an investigatory process. We reject that argument," Peters wrote.

The ruling was lauded by state Attorney General Richard Blumenthal,

who said the decision "protects the public's right to know that the State Police are fairly and thoroughly investigating allegations of wrongdoing, while respecting the privacy rights of public employees, particularly when only their private lives are involved."

But Krzys, the union attorney, was adamant in insisting that "there's no public interest in the disclosure of the information, unless the officer wants it disclosed." The ruling, he told Law Enforcement News, means that "no matter how spurious the claim [against the officer]...it's pretty much disclosable unless there's some egregious privacy issue at stake."

Krzys added that the ruling appears to supersede an officer's right to file grievances to challenge complaints that were sustained by internal affairs.

Grievances sometimes result in reversals of the finding, he noted, albeit months later after the finding. In the meantime, disclosure of the records might taint an officer's reputation once the finding is reversed in his favor, he said.

"It's a very unfair situation," he said. "It's a problem in the sense that once you ring the bell, it's pretty hard to unring it down the road."

Krzys said he suspects State Police officials will have to lobby legislators to amend the Fol law "to provide further protection for officers who are the subject of internal affairs reports." One possible approach would be a provision that exempts from disclosure reports about officers who were exonerated or in cases where complaints were not sustained.

## Privacy groups, 'phone industry take on law enforcement over wiretap plan

Representatives of both the telecommunications industry and right-to-privacy groups are pulling out all of the stops in a campaign against a 1994 law requiring changes in the nation's telephone grid to allow law enforcement to conduct wiretaps on digital voice and data networks.

Privacy advocates announced in August that they plan to challenge the Communications for Law Enforcement Act of 1994, which calls for industry to spend \$500 million to modify the nation's telecommunication network to allow continued wiretapping by law enforcement agencies, and also specifies a standard-setting process to redesign the equipment.

The act was passed after an intense lobbying effort by the FBI which contended that new communications technologies are outpacing law enforcement's ability to identify and

monitor suspected criminals who use cellular phones and other sophisticated communications equipment.

In August, The New York Times reported that two privacy groups, the Center for Democracy and the Electronic Frontier Foundation, would challenge the proposed standard in a petition to the Federal Communications Commission. The groups argue that the law would force the telecommunications industry to reveal the full content of client communications transmitted by next-generation technology, when law enforcement is authorized to intercept only the addressing and signaling data.

Although warrants for wiretaps can only be approved by judges on a case-by-case basis, law enforcement agencies can record dialing or signaling information under a "pen-register" order, which does not require a warrant and

judicial approval. While the number of wiretaps between 1990 and 1994 ranged from 566 to 1,154, according to an FBI report to Congress, the use of pen-register intercepts is much higher.

The privacy groups say that once next-generation voice and data networks are in place, it will be impossible to separate signaling or routing information from the actual communications content. In effect, that would allow law enforcement to wiretap in cases in which they are authorized only to receive addressing or signaling data.

Currently, U.S. telephone networks are grounded on a "circuit-switched" design in which voice communications are transmitted through a separate channel from the calling-number information. The configuration makes it easy to isolate information provided to law enforcement during wiretaps.

The new generation of networks

now being developed, however, will transmit voice, video and data communications using Internet standards known as "packet switching." All data will be sent as a stream of digital information.

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## Half a cop was better than none

Officer Reinhold of the Chevy Chase, Md., Police Department may have been just a mannequin, but he was no dummy. For three years his head and torso deterred traffic violators as he sat in his squad car near the District of Columbia border.

But in August, Reinhold was kidnapped. "He may be in somebody's den right now," speculated Police Chief George Winkel.

The crime was discovered when a group of teen-agers noticed that the decoy cruiser had broken windows. They flagged down a taxi driver who called police.

When last seen, Reinhold, who has no legs, was wearing only a navy blue police shirt, black tie, badge and name tag. He is valued at \$315, plus \$40 for his police shirt, which qualifies the kidnapping as felony theft. It also cost \$156 to repair the car window.

"If I find out who's got him, I'll charge them with theft and destruction of government property," said Winkel. So far, police aided by Montgomery County police dogs have not been able to come up with a trail. The department is pretty distraught. "It's kind of a personal attack on the officers," said Officer Margot Hawkins.

While a joke to some, Officer Reinhold was considered effective by the department at slowing speeders and keeping drivers from running red lights. He was placed in different positions by police and sometimes a real officer would take his place with him to keep drivers on their toes.

No one has ever tried to make off with the mannequin before, Winkel told The Washington Post, though "once we found a couple of banana peels on the hood of the cruiser."

## With keg-tracing effort, campus police hope to have beer suppliers over a barrel

The party season at the Michigan State University campus in East Lansing is already in full swing, but the events this year will be considerably drier — and, officials hope, less rowdy — as a result of a crackdown on underage drinking that includes a keg-tracing program aimed at snaring those who supply alcohol to minors.

Police and other officials nationwide are once again re-examining their policies on campus alcohol abuse, following the death in late August of a male student at Louisiana State University after an all-night drinking binge.

They might well take a cue from a program recently instituted at Michigan State by East Lansing Police Officer Dan DeKorte and MSU campus police Officer Robert Stanberry, who sought to curb underage drinking as well as the fights, vandalism and other criminality that often are fueled by alcohol.

The officers, who make up the MSU-East Lansing Community Policing Team, modeled the program on a similar effort launched two years ago by Boulder, Colo., authorities to curb alcohol abuse at the University of Colo-

rado. [LEN, March 15, 1996.]

"We have roughly 45,000 students, and we do have a lot of alcohol-related problems," Stanberry explained during a recent interview with Law Enforcement News. "Almost 90 percent of our crime is alcohol-related."

The effort began earlier this year with a crackdown on fake IDs used by students under 21 to gain entry to local bars, Stanberry said. The apparent success of that effort — the number of arrests for using fake IDs fell from about 50 to about four a week, the officer noted — prompted the team to consider instituting a keg-tracing procedure.

Kege of beer already are barred from fraternity parties and other campus gatherings, which can draw crowds of up to 1,500 students, Stanberry said. The tracing program simply seeks to ensure that kegs aren't sold to underage drinkers.

Buyers must sign a document agreeing not to provide beer to minors. Tags affixed to the kegs "tells [buyers] exactly what the laws are concerning underage drinking, and the civil and criminal penalties that could result,"

Stanberry noted, adding that serial numbers are recorded to ensure that if beer is consumed by minors, police can find out who supplied them and charge them accordingly.

"Everything's spelled out in front of them right when they get the keg. If they choose to ignore it, they can't come back and say they didn't know," he said, adding that students are being made aware of the program through public service ads in local media outlets.

Although the program is voluntary, nearly all of the estimated 20 "party stores" near the MSU campus have agreed to participate. No one has yet been charged as a result of the keg-tracing effort — proof, Stanberry said, of its deterrent effect.

"It's a last-ditch tool to be able to trace back the number from the party store that distributed it, then we can get the name [of the buyer]," he said.

"Party stores look at it as a way to cover themselves a little bit more," Stanberry continued. "They've done everything to ensure the person was of age. If that person decides to break the law, it's up to them. But the party store

doesn't get blamed. We're going after the person who actually broke the law, instead of holding the party store responsible."

The deterrent effect of the keg-tracing effort has prompted some city officials to propose making the procedure mandatory. Some state legislators have called for it to be instituted statewide, Stanberry noted.

Other anti-alcohol efforts by DeKorte and Stanberry involve serving as de facto doormen at some bars and take-outs, where they check IDs and arrest those who try to use bogus identification to buy alcohol. "The word has spread pretty quickly on that, and it's cut back on a lot [of alcohol abuse]," Stanberry said of that effort, dubbed "Cops and Shops."

The team also advises fraternities, sororities and other groups on ways to hold alcohol-free events, with many calling on the pair to conduct a "party assessment" so that problems will be kept to a minimum, added Stanberry, a former Howell, Mich., police officer who joined the MSU police force three years ago.



# PC wants hands untied in discipline cases

Four New York City police officers who were suspended in connection with the recent beating and torture of a Haitian immigrant have been barred from returning to even modified desk duties.

Police Commissioner Howard Safir, in an unusual break with established procedure, last month acted to block the officers' return, which appeared to have been required under state Civil Service rules after a maximum 30-day suspension.

Safir announced on Sept. 7 that the officers, who were stripped of their guns and badges after being criminally charged in the brutal assault on Abner Louima, 30, will not be allowed to work unless they are cleared of all charges in the highly charged case. However, as state law requires, they will continue to be paid.

Saying current Civil Service rules tie his hands in disciplinary matters, Safir, with the support of Mayor Rudolph Giuliani, called on the state Legislature to abolish the Civil Service requirement to pay suspended police officers after 30 days.

"I implore the Legislature to pass this bill, which would eliminate many of the delays in resolving disciplinary issues," Safir said in a statement announcing his decision.

"Safir has gone as far as you can possibly go," Giuliani said on Sept. 8. "Because of the highly charged nature of this situation, he is not allowing them

to operate as police officers in any respect during this period of time."

Safir and Giuliani contend that the only way to keep the officers off the force once their suspensions are over is to hold departmental trials. But those internal procedures can jeopardize impending criminal trials because they tip defense lawyers to cases that prosecutors plan to present in criminal court. Rules of evidence in departmental trials differ from those in criminal proceedings.

The situation forced officials to put off departmental trials of the officers until their criminal cases had been concluded. Therefore, Safir said he had no choice but to pay the officers to stay home.

At least two of the officers were to have returned to modified duty early last month, including Justin Volpe, 25, who allegedly shoved the wooden handle of a plunger into Louima's rectum, then rammed the stick into Louima's mouth on Aug. 9 in the bathroom of the 70th Precinct station house in Brooklyn.

The officers' impending return sparked a public outcry, although NYPD spokeswoman Marilyn Mode said public pressure had nothing to do with Safir's decision, which was made "because of the horrific nature of the allegation" shortly after the officers were arrested in mid-August.

Attorneys representing the accused

officers indicated they would challenge Safir's action in court. Stephen Worth, an attorney for Charles Schwarz, 31, who is accused of assisting Volpe in carrying out the assault, charged that the Commissioner's move violated state law.

"They're entitled to go back to work.... We'll have to consider whether to pursue legal remedies," he told The New York Daily News. Worth charged that Safir "has decided to act as judge and jury here, and declare all four officers guilty."

Safir's decision was announced the same day Volpe and Schwarz pleaded not guilty in state Supreme Court to charges they used racial epithets as they allegedly brutalized Louima after he was taken into custody by officers responding to a melee outside a Brooklyn nightclub.

Two other officers, Thomas Bruder, 31, and Thomas Wiese, 33, also are charged in connection with the case. Both pleaded not guilty in late August.

The Louima beating already sparked a top-to-bottom housecleaning in the 70th Precinct, including the reassignment of its top two commanders. In addition, a desk sergeant was suspended and 10 other officers were put on taken off patrol and put on desk duty.

U.S. Attorney Zachary W. Carter is investigating whether civil-rights charges should be brought against any officers involved in the incident. Fed-

eral prosecutors also have launched a preliminary inquiry to see whether the incident is part of a wider pattern of abuse at the precinct, and whether supervisors tolerated the misconduct.

It also prompted Giuliani to impanel a 28-member task force charged with findings ways to improve relations between the public and police. On Sept. 5, thousands of angry demonstrators

marched across the Brooklyn Bridge to stage a protest rally against police brutality at City Hall. Police made more than 100 arrests during and after the demonstration.

As Law Enforcement News went to press, Louima remained in a Brooklyn hospital recuperating from injuries that included a torn intestine and punctured bladder.

## Criticism of NYC review board builds in wake of beating

New York City's Civilian Complaint Review Board is under renewed fire from critics who charge that it is flawed, ineffective and practically useless, unable to make complaints against police officers hold up and result in disciplinary action.

The criticism, which began to resurface over the summer, reached a full boil in the aftermath of the police beating of Haitian immigrant Abner Louima.

A civilian review board has existed in New York City in some form for the past 40 years. The latest incarnation was signed into law in 1992 by then-Mayor David Dinkins over loud protest by police rank and file. Since then, the administration of Mayor Rudolph Giuliani has tried to cut one-quarter of the board's investigative staff. The positions, however, were restored by the City Council.

Typically, if a citizen's complaint is found to have merit and passes the board's review process, it is passed on to Police Commissioner Howard Safir, who alone has the power to punish officers. A standard notification is sent to the citizen once the case has been substantiated.

At this point, board officials say, the panel's statutory obligation has been completed. It is left to the Department to notify a citizen about the eventual outcome of a case. In those instances when the Department accepts the board's findings, it does not reveal to complainants how the officer has been punished.

Also, if the original complaint contained two charges and only one was substantiated, the board's letter does not inform the citizen which of the two was found to have merit.

In any event, few officers are punished, critics charge. Furthermore, they contend, the board's semi-annual reports either lack basic statistical information or contain data that do not match with Department records.

Norman Siegel, executive director of the New York Civil Liberties Union, presented a report at the review board's monthly meeting in June which found that from July 1993 through December 1996, some 16,327 complaints were handled and 690 cases — about 4 percent — were referred to the Police Department. After conducting its own investigations, the Department disciplined officers in 180 cases, and 219 cases were dismissed by Safir.

Dispositions of the remaining cases could not be determined.

Other statistics show that in 1996, only 52 of the department's 38,000 officers were punished because of action taken by the review board. In 70 percent of those cases, the discipline consisted of a stern lecture and the loss of one vacation day.

In the four years the board has existed in its present form, only one officer has been dismissed as a result of CCRB intervention out of more than 20,000 complaints received.

Serious punishment stemming from the review board's action is rare. Only four officers were suspended in 1996; one was placed on probation, and three others forfeited 10 vacation days. Last year also marked the first and only time an officer has been dismissed in a review board case. That officer, a 12-year veteran, was found to have beaten a man with his flashlight after making an illegal arrest. Adding to the weight of the case was a disciplinary history that included an incident in 1988 in which he struck and bit a civilian.

Overall, the board gets low grades from critics. Joel Berger, a former city corporation counsel who now specializes in police brutality cases, gives the board an F, and advises clients not to waste time filing a report with the agency. City Councilman Sheldon Leffler, who chairs the council's public safety committee, gives it "a gentleman's C."

"We created the CCRB out of a hope and I would say even a belief that this would bolster public confidence in an independent civilian complaint process," Leffler told The New York Times. "But in the first four years, it's really questionable whether this has happened. There's a good chance that the reverse has happened."

On Sept. 10, The New York Daily News reported that the board has substantiated more cases of alleged police brutality and misconduct in the first six months of this year than it did for all of 1996.

Of the 1,169 cases fully investigated by the CCRB from Jan. 1 to June 30, 281 were substantiated. In the same six-month period in 1996, 159 cases were substantiated out of 916 complaints that the board investigated. There were a total of 259 substantiated cases in 1996.

Civilian complaints against officers were down 22 percent in the first six months of 1997. But once the Louima torture case broke, the daily average of complaints logged by the CCRB jumped from 10 to 25 a day.

## Memphis Mayor agrees to punitive damages in cop's suit

Memphis, Tenn., Mayor W.W. Herenton recently agreed to pay punitive damages to settle a Federal civil-rights lawsuit filed by a police officer whom the Mayor had ordered fired in 1994 in the wake of racially charged pepper-spray incident.

That incident also led to Herenton's firing of then-Police Director Melvin Burgess and his top deputy.

With the recent settlement, Herenton agreed to pay outstanding legal fees estimated at more than \$80,000 that had piled up as Lieut. Mike Wagner's lawsuit made its way through the court system. The agreement, which was disclosed Aug. 4, came just six weeks after Herenton was ordered to pay more than \$80,000 in compensatory damages awarded to Wagner by U.S. District Court Judge Jon McCalla.

McCalla's sharply worded ruling on June 19 held that the city violated Wagner's due-process rights when he was fired briefly in 1994 for his involvement in an incident on April 8, 1994, in which the 27-year veteran used pepper spray and handcuffs to take into custody two black men following a car chase. The men turned out to be undercover officers.

Wagner was suspended and later

fired, but the city's Civil Service board ordered the department to rehear the case, which resulted in an eight-day suspension for the 49-year-old police supervisor. One month later, Herenton fired Burgess and Deputy Director Eddie Adair. The Mayor then cited "philosophical differences" for the terminations, although several City Council members speculated at the time that he acted after a string of disappointments over the Director's performance, including the Wagner incident.

Both former police officials testified that Herenton ordered Wagner fired before a hearing could be held, and McCalla apparently agreed, ruling that Herenton "recklessly trampled over Wagner's protected rights to accomplish his aims." The judge concluded that the Mayor had pushed for Wagner's firing after pressure from the black community, engaging in "plainly unlawful conduct" and acting "with reckless and callous indifference."

In a statement issued immediately after the ruling, the Mayor denied he had ever made decisions on the basis of race. "I am deeply concerned that the decision came to me as one who violated an individual's rights on the basis of race. I have served the public for

more than 30 years, and have enjoyed a record of fairness with all individuals irrespective of race, religion and gender," he insisted.

Following the judgment, Herenton requested a new trial, blaming City Attorney Monique Hagler Tate for not adequately representing him. The Memphis Commercial Appeal reported, Tate, who resigned immediately after the Mayor leveled the charge, never told him of his potential personal liability. Herenton claimed, nor was he advised that he was accused of firing Wagner because of his race.

Herenton's spokeswoman, Carey Hoffman, told Law Enforcement News last month that the Mayor had no further comment on the case.

As part of the settlement, the city agreed not to appeal McCalla's award of compensatory damages to Wagner, who agreed to dismissal of his suit.

Wagner, who had been working the graveyard shift in the Command Duty Office has been ordered transferred, and is now a shift supervisor in the special investigations unit of the Traffic Division. Mark Allen, his attorney, told LEN.

"He's much better than he was," Allen said of Wagner, whom he said had suffered greatly during the four-year " ordeal."

"The judge made it fairly plain that due process must be had, and that [officials] can't make decisions for racial reasons; they have to be made on the basis of merit," Allen added. "If you're a public official who's aware of the law, and you step outside the law and violate someone's constitutional rights, then you subject yourself to personal liability."

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# 'We have to do what?!?'

## Cops brave wilderness, mountains, rivers & seas in 300-mile endurance race

New York City police officers often are known as "New York's Finest," but a team of three NYPD veterans and a Nassau County, N.Y., officer may well have earned the tag "New York's Toughest" after they recently completed a 10-day, 300-mile endurance race in Australia.

The team consisting of NYPD Sgt. John Cummings, Police Officers Ray Nalpent and Chris Ballou, and Nassau County Police Officer Linda Brymer trekked through the barren Australian outback, waded and swam through rivers, hacked their way through rain forests, scaled one of the country's highest peaks and kayaked through storm-tossed seas off the Great Barrier Reef to complete "Eco-Challenge '97."

The annual event, which is sponsored by The Discovery Channel, Qantas Airlines and Land Rover, is dubbed by promoters as the world's toughest endurance race. Fifty four-member teams, each of which had to include at least one woman, started the trek on Aug. 11. By the time the event concluded on Aug. 21, only 29 teams were left, including Team New York's Finest.

The New Yorkers were the last to reach the finish line, about five days after the first team, Eco-Internet of New Zealand, completed the grueling race. Competitors were not given an advance look at the route, which began near Undara in the North Queensland territory and ended at the tropical resort of Cairns.

Not only did they have to exert superhuman effort, they also had to be alert for poisonous snakes, leeches, crocodiles and other natural hazards. They subsisted on minimal food and water, all of which they had to carry in their 40-pound backpacks. Sleep came in fits of no more than an hour, but mostly in catnaps of only 10 minutes, Cummings told Law Enforcement News. They slogged on while suffering from a variety of physical woes, including blisters, sprains, dehydration, hypothermia and exhaustion, he added.

Cummings, 43, and Nalpent, 38, had competed in an Eco-Challenge event in Utah four years ago. Last year, the pair, who are members of the NYPD Scuba Team, had planned to enter the competition, which was held in British Columbia. Their plans had to be put on hold, however, when they were called to aid recovery efforts following the crash of TWA Flight 800 off Long Island, where they spent four months pulling wreckage and bodies from the ocean floor.

To find the required female teammate, the three NYPD cops linked up with Brymer, a 14-year police veteran, after being introduced to her by a rappelling instructor they had all worked with in the past. Brymer said she jumped at the chance to join the team. "I'm always looking for physical challenges, and it's absolutely a mental challenge as well — more than I ever thought," she said.

The team spent about a year training for the event, getting together whenever their varied schedules would allow. Still, no amount of training could prepare them for what lay in store, Cummings said.

"I've done marathons, triathlons and long-distance biking, but this is the hardest race in the world. You're out there with little food and water, just surviving. You're going 24 hours a day. The hard part is going without sleep," he said.

The event took its toll from the very first day, which was spent hiking through the outback's rugged terrain, said Cummings, a 15-year NYPD veteran. "The whole idea there is just to beat your feet up. By the end of the day, you're blistered, worn out and tired."



River rapids await as Team New York's Finest gets set to shove off in inflatable rafts during a leg of the Eco-Challenge '97 in Australia.

(Photos courtesy of Linda Brymer)

Next, they spent 20 hours maneuvering a canoe through rapids, sometimes having to portage the boat through brush and shallows. "A lot of times, canoes flip over on the rapids, and they get caught on the branches, so you're wet," he said, adding that the team also was drenched by torrential rainstorms on several occasions.

The 40-year-old Brymer suffered a sprained knee in the early going, forcing her to exert extra effort so that the team's progress would not be slowed. "Up till then, we were making some pretty good headway," Cummings recalled. "We were closing in on a lot of teams, but when she hurt her knee we had to change our tactics a little bit. We slowed down a little, carried her pack and bike for her when she needed it, and sometimes we even carried her when we needed to. But we all stuck together."

A self-described "gym rat," Brymer is an instructor with the Nassau County police academy's defensive tactics section, who said mental toughness helped her get through the Eco-Challenge. In addition to the sprained knee, the medical report would come to include fevers, a lung infection and swollen feet and hands. "It's amazing what the mind can block out," she told LEN.

Brymer's effort earned her the respect of her male teammates, Cummings said. "She's a trouper. We were worried she might have to drop out, but she never really complained. She just kept moving along."

"They didn't put any pressure on me; I was doing it to myself," Brymer added. "There was always a day when one of us wasn't functioning 100 percent, but it seemed like everything happened to me."

Brymer and Cummings agreed that the last leg of the race — ocean kayaking — was the hardest. A major storm was in progress just a few miles away, causing choppy waters and huge waves — hazardous conditions that almost caused the segment to be canceled. Officials had to deploy helicopters to rescue five of the eight teams that made it that far, but not Team New York's Finest, which spent 16 hours navigating the rough seas.

Would they do it again? "After Utah, I said no — and I did it again," said Cummings, leaving open the possibility. But he said he would not be participating in 1998, when the event will take place in a mountainous region of Morocco. "That requires more training since there'll be lots of altitude involved," he observed.

## Summer fun for cops & kids

### Camp experience proves an eye-opener

Another summer gone, and another summer-camp experience successfully concluded for scores of Kentucky youngsters — and the police officers who served as their hosts.

In Louisville, a gaggle of 8- to 12-year-olds took part in a week-long Fourth District Police Camp program that let them play tennis, eat pizza and dance to rap music with members of the city's Police Division. The camp allows children to see the human side of police officers, while also teaching them about gangs, drug abuse and violence. But the most important aspect of the program is that it is fun.

"It's real nice getting to interact with kids in a positive way," Officer Yvette Gentry told The Louisville Courier-Journal. "We don't often get to do that."

The camp is funded by a Federal crime-prevention grant, said Gentry. All city districts conduct similar programs using this type of funding. They started last summer, with one camp enrolling about 60 children each. The Fourth District, she said, chose to do three sessions with smaller groups.

The first three days of camp were spent indoors at an elementary school, where the campers watched a K-9 demonstration,

saw a video about gangs and did Jazzercise, among other activities.

The next few days were spent playing tennis, and listening to the rap performer Sir Friendly "C," also known as Police Officer Ray Barker Sr., who spreads an anti-drug message through rap music. "No matter what road you go down, you have to accept the responsibility for what you decide to do," he reminded the children.

It was a week of fun for 54 children, but for the Jefferson County police district that raised the money to send the youngsters to camp this summer, it was a window into the needs of a community.

The children were all from the county's David District, an area with the highest reported rates of crime and domestic abuse, said the district commander, Capt. Paula Bruce. It was Bruce's idea to send two groups of children to the Blue Horizon-Camp Sky II near Otter Creek Park, in keeping with Police Chief Ron Rueter's philosophy of community policing.

The camp is run by a former police sergeant, Ted Luckett. "When I saw the camp and I saw his enthusiasm — he really has a heart for kids — I knew this was some-

thing we would want to do," Bruce told The Courier Journal.

She and her staff raised enough money to send two groups of children to the camp, one in June and the other in August. This is the first summer children from the David District have attended Camp Sky II, which opened in 1989. The kids, ages 8 through 12, spent the week doing archery, telling campfire stories and learning how to trust each other by doing team-building exercises that included rappelling.

Camp Sky II, which Luckett created with his former police partner, Frank Neckar, has about 100 to 200 children attending each week. The \$175-per-child cost is subsidized by private donations.

Bruce said the experience has given her officers a deeper understanding of the needs of these children. When children from one family were taken home after the week at camp, officers discovered no furniture in the apartment and few other necessities. The children lived with a guardian who had just been laid off.

The department began getting them referrals, said Bruce. "A whole lot of policing now is not law enforcement — it's solving all of these problems."



Rappelling gear may be necessary, but it doesn't get any lighter as the race goes on, as the grim but determined looks on team members' faces suggests.



Beete, Corcoran:

## Blessed are the peacemakers, Navajo-style

By Don Beete  
and Erin Corcoran

It is an issue that has been growing in our society for years. As our prison system becomes overcrowded, lawmakers and corrections experts seek alternative ways of dealing with crime and criminals. Prison abolitionists call for the complete elimination of prisons and the development of alternative means of punishing offenders.

It seems that we are stuck with the idea of punishment, but is this the only idea to explore? In a nation of such diverse cultures, one would think that other options would be available.

The Navajo people have an alternative that is worthy of consideration, known simply and appealingly as Peacemaking. Consider this scenario: You had a bad day at work, so you stopped off for a few drinks on the way home. When you get home, your spouse is yelling because you forgot to pick the kid up from baseball practice. You are really aggravated so you lose your temper and knock your spouse down with one punch. You are arrested for domestic abuse and are taken to family court, where instead of throwing the book at you, the judge offers you mediation. You are told to bring someone you and your spouse trust, along with the rest of your extended family, into court. You get together to discuss your problems, and explore ways to amend the situation. The goal is for all parties to come to a resolution in a peaceful way.

This is the premise of Navajo Peacemaking. It is a system of dispute resolution that focuses not on punishing the offender, but rather on restoring the harmony that was lost. The entire Navajo system of beliefs is based on the maintenance of harmony; all of their ceremonies are performed with this idea in mind. Hozho must be restored before they can move on.

Judge Robert Yazzie, Chief Justice of the Navajo Nation, describes hozho as "the goal of our justice and harmony ceremony. It means that there is a place for everything in reality, and there is hozho when everything is in its proper place, function-

tioning well with everything else. That kind of justice works, because it is a complete view of life and not process where an individual wins or loses."

The sequence that a Peacemaking session follows is first, an offense is committed or a matter arises between parties that needs intervention such as a land dispute between neighbors or a child-support matter. In the case of an offense where a person is arrested, the judge refers the case to the Peacemaker Division. This was recently renamed from the Peacemaker Court, to dispel the idea of a formal, Westernized court system.

A peacemaker is chosen from a list of more than 300 recognized peacemakers on the Navajo reservation, although anyone can potentially be a peacemaker if he or she is requested by the parties. Once the parties are in contact, the peacemaker is paid a nominal fee of \$60 for his time and wisdom. A time and place to meet is set. The peacemaker tells the participants to bring their parents, grandparents (referred to as their elders), their neighbors and anyone else who may be able to assist them. The peacemaker brings along social service workers if necessary, and the medicine man.

Because the Peacemaking session reverts to traditional cultural beliefs of balance in nature and harmony with the earth and each other, the session is started with a prayer. The rules are outlined: No cursing, and honor and respect are to be used in addressing each other. The language is important because of the power it wields. The peacemaker uses language persuasively to bring both sides into agreement.

The act of Peacemaking, therefore, is a sacred ceremony that must be taken seriously. Peacemaking incorporates Navajo traditional common law and ideas of justice without "codifying" them. There are no real structured settings for Peacemaking — the only constants are the two parties to the dispute and the peacemaker. Peacemaking is based on three general ideas or concepts, as described by Navajo Supreme Court Justice

Raymond Austin during a recent lecture at the Window Rock, Ariz., Police Department that was attended by the authors and others.

The first concept is freedom with responsibility. This idea is derived from the Navajos' notion of complete equality among people. Navajos do not believe in powerful authority figures who judge others. Also, a person is free to do whatever he or she wants to do without being coerced or pushed into doing it. This freedom, however, is balanced by responsibility and duty. The Navajo concept of Ke'e, or kinship, is a built-in sense of responsibility and respect for family for family, friends, clan, community and nature. As Justice Austin put it, "Mutual dependence, cooperation and the ethic of family and clan are the framework for freedom with responsibility."

The second general idea is leadership among equals. This refers to the peacemakers. They are chosen because they hold a position of respect and esteem within the community. They are known for their wisdom and wise reasoning, and are referred to as naat'aani, which is a person who speaks well with reason behind it. Their job as mediators is to guide the disputing parties to an amicable decision that benefits and harmonizes all.

Finally, there is the concept called traditional procedure — when injury or wrong is done to someone, there is "talking." Traditional Navajo methods require discussing the problem until a resolution is achieved. The Navajo word for trial is ahwinit, which loosely means that someone is the object of discussion. The dialogue centers on roles and responsibilities, with a goal of restoring harmony and maintaining it.

Peacemaking cannot work if the parties involved don't participate. Also, Roman Catholic Indians consider such ceremonies paganism. In these instances, clergymen are used as peacemakers. Peacemaking has a high success rate for its participants; people who make their own solutions usually live by them.

The Peacemaking system may not have wide-

spread applicability in the world most Americans live in, or even in all aspects of the Navajo world. There are critics who believe that this system is much too utopian to work in any setting, and that the crimes committed by humans are much too heinous to be solved in this way. It also requires a sense of tight-knit community ties which foster respect for each other's opinions and values.

Were the Peacemaking solution to be applied to our society, it should not be viewed as a cure, but could work as a tool to prevent further crime. We can return to the sense of community, learning once again the notions of responsibility and respect for each other.

(Don Beete and Erin Corcoran are students in the Thematic Studies Program at John Jay College of Criminal Justice in New York.)

## Letters

### Opportunity knocks

To the editor:

I have come to believe that often times there is opportunity in many of the crises in our lives. Crises can motivate us to change the way we view our world, or even more, to change the world.

Recently, the gay and lesbian community experienced a crisis, as Andrew Cunanan became one of the most wanted people in America. I think we handled this situation fairly well, but many, including the FBI, have stated that the FBI could have done more during its investigation to reach out to our community. Such a public admission by the FBI is unusual, and perhaps indicative of the changes in the FBI and in their relationship with us.

As a gay man and career FBI agent, I can attest to recent changes in the FBI regarding the gays and lesbians. The FBI now has a number of openly gay and lesbian agents and support personnel (some are in supervisory positions), and the bureau hires openly gay and lesbian applicants for these positions.

During the Cunanan investigation, the special agent in charge of the San Diego FBI office spoke of assigning an FBI agent as a permanent liaison to the gay and lesbian community. We are also discussing other ideas and approaches with the FBI, which might help all of us in the future.

This is an opportunity for us to take the initiative and reach out to the FBI with our ideas, recommendations or complaints. Request that the agent in charge of your city's FBI office appoint a permanent liaison to our community. Contact FBI Director Louis J. Freeh at FBI headquarters in Washington, D.C., and request that he adopt this liaison program nationwide and undertake other measures to improve the FBI's relationship with us.

This moment in time affords us an excellent opportunity to take the lead and create positive changes. Our community, the FBI and the entire country will benefit from our actions.

FRANK BUTTINO  
Special Agent (ret.), FBI  
San Diego, Calif.

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# 'Cautious optimism' that crack epidemic is declining in spots

Continued from Page 1

drug becomes popular, young people around the age of 18 begin to use it, in a stage that represents the plateau of the epidemic. The decline phase occurs when new groups of young drug users realize that crack is no longer the drug of choice among fellow users, although hard-core users will continue to use the drug despite declines in popularity.

Justice Department officials expressed hope that the findings indicate the nation may be turning a corner in the crack epidemic. "This study shows we are making progress on crack, but we can't let up now," said Attorney General Janet Reno. The director of NIJ, Jeremy Travis, said the report "gives ground for cautious optimism that the crack epidemic is in decline in some cities."

DUF is to be expanded to 75 cities, pending Congressional approval of increased funding for the program, Travis said. The program will be renamed Arrestee Drug Abuse Monitoring (ADAM), and will include the development of coordinating councils that will generate local research projects.

Travis told Law Enforcement News that the expanded and revamped ADAM program will also include the creation of outreach programs to col-

lect additional data from targeted jurisdictions in suburban and rural areas, as well as in Indian Country. "This is particularly important when drugs like methamphetamine are showing up in

**"This study shows we are making progress on crack, but we can't let up now."**

— Attorney General Janet Reno

disproportionate amounts in rural jurisdictions," he observed.

The expansion, which is to be completed by 2000, "will be a very powerful research tool that will help us understand crime at the local level and at the national level — much better than we do now," Travis added.

## NIJ report notwithstanding, cops say coke & crack still rule

Even as a Federal report points to a decline in the number of arrestees testing positive for cocaine or crack in many major U.S. cities, those on the front lines of the drug war in some of those cities say it remains the most popular illegal drug, and one that figures prominently in overall crime rates.

"It's not fading," said Sgt. Ernesto Salgado of the San Diego Police Department's narcotics section.

The drug-use report released by the National Institute of Justice indicated that San Diego experienced a "sustained decline" in cocaine and crack use among youthful arrestees between 1991 and 1996. The report said the rate dropped steadily from 37 percent in 1991 to 13 percent in 1996, while the use rate among all arrestees fell from 44 percent in 1991 to 26 percent in 1994.

Despite the apparent decline, Salgado, a 25-year SDPD veteran, said crack- and cocaine-related offenses continue to preoccupy the narcotics section. "The majority of the people we deal with use crack cocaine. If you talk about overall arrests in the whole city — there might be a decline there. But as far as arrests by the narcotics section, that's our biggest product."

Officials of two other jurisdictions contacted by Law Enforcement News said that while crack and cocaine use may be in decline, they're seeing a surge in heroin use. "Cocaine is probably still the drug of choice, but heroin is making a comeback, and marijuana is as popular as ever," said Capt. Arthur Woody, a 31-year veteran of the Philadelphia Police Department, who is commander of the department's narcotics field unit.

The NIJ report said Philadelphia is experiencing a "rapid decline" in use of cocaine and crack. The rate of detected use among youthful arrestees fell from 70 percent in 1988 to 21 percent in 1993, while the overall rate of use decreased from 73 percent in 1989 to 49 percent in 1996.

"Their conclusion is probably reasonable...but I can't say that I have any information to support their findings," said Woody. "I don't see [cocaine or crack] disappearing from the drug scene."

Heroin also is making a comeback in Dallas, becoming the drug of choice for those who have burnt out on cocaine, according to Sgt. Kenneth LeCesne, a 15-year veteran of the Police Department's narcotics division. However, he questioned the methods used to gather the Federal report's data,

particularly information gleaned from interviews with arrestees. Said LeCesne, "A lot of people don't like to admit that they're rockheads."

"I've interviewed about a thousand people in the past five years, and while they'll own up to snorting marijuana, they don't like to admit they're rockheads," he said.

The NIJ report said a slow decline in detected cocaine and crack use among arrestees began in Dallas in 1989. The rate among youthful arrestees dropped from 44 percent in 1988 to 18 percent in 1993, where it remained through 1996. The overall rate also began "a modest decline" from 45 percent in 1993 to 34 percent in 1996.

"I look at the number of people dealing it and the amount of money they're making, and that tells me there's a lot of users," said LeCesne. "I think cocaine use has gone down a little bit in perhaps the 25-32 age group, but all drug use has gone up in the 12-19 age group."

Any decline in cocaine use is being offset by heroin's increasing popularity, particularly among the young, LeCesne said. He noted that at least seven teenagers in nearby Plano have died of heroin overdoses in the past year.

### The big hurt:

## Crime lands blacks, women & young in ER

Blacks, women and those under the age of 25 were most likely to be the victims of crimes violent enough to land them in a hospital emergency room during 1994, according to a new study from the Bureau of Justice Statistics.

The report, "Violence-Related Injuries Treated in Hospital Emergency Departments," found that some 1.4 million people were treated that year for non-fatal, intentional violence. In 94 percent of the cases, the injuries occurred during an assault; 2 percent dur-

ing a robbery, and 5 percent during a rape or other sexual assault.

Nearly half of the victims were injured by someone they knew, and 17 percent were hurt by intimates, with women more frequently the victims in such cases. In fact, the study found that the number of individuals, both male and female, who were injured by current or former spouses, boyfriends, girlfriends and estranged partners was four times higher than has been estimated by the National Crime Victimization

Survey, the country's principal source of crime-victim data.

Researchers said that discrepancies in the figures could be caused by a number of factors, including the differing contexts of the two studies, one measuring crime and the other the infliction of injuries which the patient might not consider a criminal act; the possibility of an incident being misremembered when NCVS data are collected, as opposed to data in the most recent study being collected at the time of treatment, and the fact that the more recent survey also interviews those who live outside of household settings, such as the homeless and those in institutions.

In cases involving female patients, 15.9 percent of the time the assailant was a spouse or former spouse; in 20.9 percent of the cases, it was a boyfriend

or girlfriend. Overall, 7 percent of persons treated for intentional violence were hurt by a spouse or ex-spouse.

While blacks make up just 13 percent of the population, they represent 24 percent of those treated, according to the survey. About half of all victims were under 25.

Children under 12 made up about 5 percent of those treated. In 39 percent of the cases, parents or guardians brought children in to evaluate whether a rape or sexual assault had occurred. In many of these cases, physical symptoms that could have resulted from sexual abuse were noted. In other cases, the children had been alone with the person suspected of committing the act.

Victims were treated for a variety of injuries, the most common being bruising (34 percent), cuts, stab wounds or internal injuries (31 percent), and

fractures, sprains, dislocations, dental injuries or other muscular/skeletal injuries (17 percent).

In about half of the incidents (48 percent), injuries were inflicted around the home, either the patient's or someone else's, said the study. The next most common setting was public places such as stores, offices or factories, representing about 29 percent.

Data as to offender characteristics substantiate findings by the National Crime Victimization survey, according to the study. Males committed three-fourths of the violent crimes measured by the NCVS in 1994, while adult males were responsible for about two-thirds of the violence-related injuries incurred by emergency-room patients. Teen-age males inflicted about 15 percent of injuries, adult women 11 percent, and teen-age females, 4 percent.

## 14 new agencies join CALEA roster, including Royal Barbados force

Fourteen law enforcement agencies received their initial certification at the most recent meeting of the Commission on Accreditation for Law Enforcement Agencies, while 20 other agencies were accredited for at least the second time.

The recent awards, announced in late July in Cincinnati, brought to 447 the number of agencies that have earned accreditation since 1984.

Agencies that earned their initial accreditation were police departments in Cincinnati; Gallinburg, Tenn.; Hazel Crest, Ill.; Heath, Ohio; Mason, Ohio; Oak Brook, Ill.; Peoria, Ariz.; Winter Haven, Fla.; Worthington, Ohio; and Auburn, Wash. Also accredited were the Henry County, Ga., Bureau of

Police, and sheriffs' departments in Tulsa County, Okla., and Marshall County, Ky.

The Royal Barbados Police Force also was accredited.

Agencies that were accredited for the third time included police departments in Wilson, N.C., and Williamsburg, Va.; the Clark County, Wash., Sheriff's Office; and police departments in Fulton County, Ga., and Athens-Clarke County, Ga. The North Dakota Highway Patrol also was accredited for the third time.

Agencies that earned accredited status for the second time included police departments in College Station, Texas; Menomonee Falls, Wis.; Winnipeg,

Manitoba, Canada; West Carrollton, Ohio; Appleton, Wis.; Beloit, Wis.; Farmington, Conn.; Goffstown, N.H.; Greenville, Ohio; Peachtree City, Ga.; and Vandalia, Ohio.

Sheriffs' departments that were re-accredited included those in Polk County, Iowa; Ontario County, N.Y.; and St. Lucie County, Fla.

The Rock County, Wis., 911 Communications Center and Delaware, Ohio, Municipal Court Security were certified under a program begun by CALEA three years ago, which is geared to stand-alone agencies that provide support services to law enforcement, such as dispatch, court security and training.

## If it smells like a quota and acts like a quota...

Two Mendham Township, N.J., police sergeants recently filed suit against local officials, claiming they were unfairly disciplined because they disobeyed an order to write at least one traffic ticket during each shift.

The plaintiffs, Vincent J. Romano and Thomas R. Zenick, both of whom have been Mendham police officers for more than 20 years, contend they were issued written reprimands in June for failing to comply with a directive on issuing traffic tickets in the affluent northern New Jersey community.

"Mendham Township is calling it a performance evaluation, but it smells like a ticket quota and acts like a ticket quota," said attorney Michel Bukosky, who is representing the sergeants.

Law Enforcement News was unable to reach Bukosky for further comment, but the lawyer told The Newark Star-Ledger that the two sergeants were notified on June 10 that they were getting written reprimands for "disobeying a ticket quota." Bukosky further charged that the action was taken without giv-

ing his clients a chance to challenge the move in a hearing.

The lawsuit seeks to have the reprimands voided and asks that the directive, which the plaintiffs contend is unconstitutional and violates public policy, be scrapped.

"Both of these officers have been on the force for more than 20 years and have exemplary records," said Bukosky. "Each is well-respected and have no beef with their chief or the township except when it comes to enforcing a policy they strongly oppose."

Mendham Township is "not the type of community where traffic is flying around and there might be reason for a ticket quota," Bukosky continued. "The public shouldn't stand for it. Pity the poor motorists who get stopped on the last day of the month because an officer is short four or five tickets."

Township Attorney Roger Clapp did not return calls from LEN for comment. Police Chief Thomas Constanza told LEN, "I've been directed by the township attorney to not speak about it"



# Reach out & touch: Auto-dial system helps alert residents

Continued from Page 1

there's a heightened awareness of the problem by the community," he added.

Recently, the system was used to alert nearly 1,000 households about a rash of cat burglaries occurring in eastern Baltimore County, he noted. And, in another recent case, Baltimore city police gave their county colleagues the OK to auto-dial a section of the city known to be frequented by a drug-addicted burglary suspect whom county police had been unable to catch.

"That led to over 1,000 tips to our hot line — and he got caught eventually," said Canter. "We wouldn't do that

without a jurisdiction's permission, but that's an example of how we've used it."

Of the 25,000 residents whom police have contacted using auto-dialing, only five have asked police not to do so in the future. Most of them were elderly people who were frightened by the warnings, he said.

Police can't ring up unlisted numbers, so they hope neighbors alert residents who can't be reached. And apparently, they do. "People have told us they have actually overheard people at checkout counters talking about getting the calls from us," said Canter.

In Tulsa County, Okla., meanwhile, the Sheriff's Department announced in June plans to install an auto-dialing system as part of a countywide disaster-preparedness and crime-prevention effort. The \$80,000 effort, known as County Watch, is to be funded in part by a problem-solving grant awarded to the agency by the U.S. Justice Department's Office of Community Oriented Policing Services, said Tres Hamilton, grant coordinator for the Sheriff's Department.

The Sheriff's Department joins an increasing number of public-safety agencies that are acquiring the auto-dialing system, which is attractive to many because of its speed and ease of use, according to Brian Berman, president of VoiceWorld, a Scottsdale, Ariz.-based firm that produced its first auto-dialing program nine years ago. "You don't have to be a brain surgeon to use it," he told LEN.

Berman said Los Angeles-area law enforcement agencies used the system to alert officers about the verdict in the 1992 state trial of LAPD officers charged in the beating of Rodney King. The system has a number of features that can be customized according to an agency's particular needs, he added.

# How low can you go? LA students learn to hit the deck in gunfire drills

Continued from Page 1

the children lie flat. The school heard gunfire on a nearly daily basis from drug dealers who hung around across the street from the school. The children practiced drills every other week until police began a program to clean up the neighborhood around the school.

"This was an area where Uzis would go off next door," McLinn told The Times. "It's nothing for my youngsters to see a shooting a couple blocks from school. When you're looking at a community where this is almost normal, you have to be prepared."

But Jim Garbarino, a psychologist who has written about the effects of violence on children, worries that much like children in the 50's and 60's who participated in air-raid drills, the routines could cause anxiety and fear.

"It's risky," he said. "If these drills convey a sense of insecurity about being in school, that may outweigh the

benefits."

The essential question, said Garbarino, who is director of the Family Life Development Center at Cornell University, is whether the drills convey the sense that adults are in charge or convey a sense of panic. Schools, he said, could ensure safety by pressuring gang leaders to declare schools neutral territory, and by working with police on enforcement efforts and developing an anti-violence curriculum.

For some schools, however, the drop-and-cover drills may continue to be the safest bet. This spring, students and teachers at the Stoner Avenue Elementary School in Mar Vista practiced many drills because of its location — caught between two gangs waging a retaliation war.

Guns were fired near the school at least three times, and a class of 4-year-olds had to be dismissed early when shots were fired across the street.

## Federal Law Enforcement

37 page employment guide listing 33 agent/officer careers.

## State Law Enforcement

51-page guide lists all 50 state trooper careers.

Guides list qualifications, application procedures, salaries, etc.

\$9.95 per guide. Order both for \$17.90.

FCF Enterprises, P.O. Box 2176, Brunswick, GA 31521.

## Law Enforcement News

Affirmative-action programs  
looking a little black & blue

The jury is still out on community policing

Sculpting the officer of the future:

Time to rethink academy & field training

Headlines are not enough...

To do a tough job in changing times, you need timely, comprehensive, straightforward information. For the latest trends and ideas, turn to **Law Enforcement News**. Twenty-two times a year, **we'll put you in touch** with the thinking of those who are shaping law enforcement policy and practice.

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(101597)

## DIRECTOR

*Institute for Continuing Justice Education and Research,  
Outreach and Continuing Education*

*at the*

*Pennsylvania State University*

Position responsibilities include academic leadership and administration of the Institute, instruction in police leadership continuing education programs and other Institute programs, and participation in research activities. In collaboration with Institute faculty and staff and the Office of Program Development in Continuing and Distance Education (C&DE), the Director is responsible for new program development which will enhance and expand the Institute's offerings. This self-supporting Institute is expected to generate revenue from sources external to the University.

Doctorate in Criminal Justice or a related discipline with experience in continuing education and research preferred. Master's degree with substantial experience in a criminal justice agency that includes demonstrated expertise in educational activities will be considered. Additional qualifications include an ability to manage income and expense budgets, a familiarity with relevant public and private sector funding agencies, excellent writing skills with experience in acquiring grants and the ability to communicate effectively with criminal justice agencies.

Initial three-year appointment with continuing appointments available. Salary negotiable. Director reports to the Associate Vice President of Outreach and Executive Director of the Division of Continuing Education. Position may also include affiliate faculty status in the Crime, Law and Justice Program, Department of Sociology, College of the Liberal Arts. Position available Dec. 1, 1997. Applications will be reviewed beginning Sept. 26, 1997, and will be accepted until the position is filled.

Please submit a letter of application, résumé or curriculum vitae, names and complete contact information for five professional references, and any other relevant material in support of the application to: Dr. Terry Borg, Chair, Search Committee, Continuing Education, Box LEN, College of Liberal Arts, 119 Sparks Building, The Pennsylvania State University, University Park, PA 16802. Fax: (814) 865-3641. AAEOE.

## Coming up in LEN

Candid conversations with three plain-speaking  
law enforcement leaders:

**Chuck Wexler,**

Executive Director of the Police Executive Research Forum

**Thomas Constantine,**

Administrator of the U.S. Drug Enforcement Administration

and

**Joseph Polisar**

Police Chief of Albuquerque, N.M.

**Only in Law Enforcement News**



# Upcoming Events

## OCTOBER

**15-16. Criminal Justice Grant Writing.** Presented by Justice Planning & Management Associates. East Windsor, N.J. \$275

**15-17. Homicide Investigations: Advanced Techniques.** Presented by the Public Safety Institute, Orlando, Fla. \$395.

**15-17. 3d Annual Conference on Civilian Oversight: Advancing the Blueprint for Action.** Presented by the National Association for Civilian Oversight of Law Enforcement. Oakland, Calif. \$250/\$300.

**15-18. 11th International Conference on Drug Policy Reform.** Presented by the Drug Policy Foundation. New Orleans. \$350.

**16-17. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Portland, Ore. \$349

**16-18. Tactical Handgun.** Presented by Storm Mountain Training Center. Elk Garden, W. Va. \$385.

**18. Report Writing Training.** Presented by Oavis & Associates. Anaheim, Calif. \$89

**18-19. Non-Lethal Combatives.** Presented by Storm Mountain Training Center. Elk Garden, W. Va. \$220

**19-25. Providing Executive Protection.** Presented by the Executive Protection Institute. Winchester, Va.

**20-21. Supervisory Survival for Female Officers.** Presented by Public Safety Training Inc. Pittsburgh.

**20-22. Computer Intrusion Investigations.** Presented by CSTAC Inc. Dallas. \$945

**20-23. High-Risk Warrant & Raid Operations.** Presented by the Public Safety Institute. Orlando, Fla. \$495.

**20-23. Advanced Police Budgeting & Cost Analysis.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450.

**20-24. Crime Analysis Applications Training.** Presented by the Alpha Group Center for Crime & Intelligence Analysis Training.

Richmond, Va. \$450

**20-24. Criminal Intelligence Analysis Training.** Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Jersey City, N.J. \$450.

**20-24. 28th Annual Florida Crime Prevention Association Training Conference.** Orlando, Fla. \$250.

**20-24. Crime Scene Photography.** Presented by the Metro-Dade Police Department. Miami. \$549

**21-23. Street Survival '97.** Presented by Calibre Press. Niagara Falls, N.Y. \$189

**22-23. Criminal Justice Grant Writing.** Presented by Justice Planning & Management Associates. Worcester, Mass. \$275

**22-24. Professionals Don't Punch a Clock.** Presented by the Public Safety Institute. Orlando, Fla. \$315.

**23-24. Breakthrough Strategies to Teach & Counsel Troubled Youth.** Presented by Youth Change. Indianapolis, Ind. \$125.

**23-24. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Newark, N.J. \$349

**23-24. Tracing Illegal Proceeds.** Presented by the Investigation Training Institute. San Francisco. \$395.

**24. Oleoresin Capsicum Aerosol Training (Instructor Course).** Presented by R.E.B. Training International Inc. East Windsor, Conn. \$220

**24. Report Writing Training.** Presented by Oavis & Associates. San Jose, Calif. \$89

**25. Successful Promotion: Develop your Winning Profile & Interview Skills.** Presented by Davis & Associates. San Jose, Calif. \$125.

**27-29. Back-to-the-Wall Survival.** Presented by the Public Safety Institute. Orlando, Fla. \$375.

**27-30. Burglary Investigation Fundamentals.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450.

**27-31. Chem/NFDD/Less Lethal Instructor Certification.** Presented by the National Tactical Officers Association. Troy, N.Y. \$

**27-31. Traffic Accident Reconstruction 2.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$625

**27-31. Traffic Radar Instructor Training for Police.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$550

**28-30. Street Survival '97.** Presented by Calibre Press. Tampa/St. Petersburg, Fla. \$189

**29-30. Confidential Informant Operations.** Presented by Hutchinson Law Enforcement Training, LLC. Las Vegas. \$175

**29-30. OCAT Instructor/Use of Force-Surviving a Legal Encounter.** Presented by the National Criminal Justice Training Council. Bloomington, Ill. \$295.

**29-31. Managing the Detective Unit.** Presented by the Public Safety Institute. Orlando, Fla. \$395

## NOVEMBER

**3-4. Criminal Justice Grant Writing.** Presented by Justice Planning & Management Associates. St. Louis. \$275

**3-5. Handgun CQB.** Presented by Storm Mountain Training Center. Elk Garden, W. Va. \$385.

**3-5. Street Survival '97.** Presented by Calibre Press. Springfield, Mass. \$189

**3-5. Computer Crime Investigation.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450

**3-7. Crime Analysis Applications Training.** Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Palatine, Ill. \$450

**3-7. Law Enforcement Ethics: Train the Trainer.** Presented by the Southwestern Law Enforcement Institute. Bloomington, Ill. \$395/\$495

**3-7. Sexual Crimes Investigation.** Presented by the Metro-Dade Police Department. Miami. \$495

**3-7. Crime Scene Technology 1.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$600

**3-7. Field Training & Evaluation Process.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$550.

**3-7. Research Techniques.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500

**4-5. Justice Agencies & the Internet.** Presented by SEARCI. San Francisco

**6-7. Breakthrough Strategies to Teach & Counsel Troubled Youth.** Presented by Youth Change. Seattle. \$125

**6-7. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. St. Louis. \$349

**6-7. Tracing Illegal Proceeds.** Presented by the Investigation Training Institute. Dallas. \$395

**6-7. Identifying Lies in Disguise.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$275

**8. Successful Promotion: Develop your Winning Profile & Interview Skills.** Presented by Davis & Associates. Anaheim, Calif. \$125

**8-9. Less Lethal Projectiles Instructor Certification.** Presented by the National Tactical Officers Association. Seattle. \$170.

**10-11. OCAT Instructor/Use of Force-Surviving a Legal Encounter.** Presented by the National Criminal Justice Training Council. Minneapolis. \$295

**10-12. Problem-Oriented Policing.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450

**10-14. Crime Scene Technology.** Presented by the Sirene Group. Youngsville, N.C. \$395

**10-14. Submachine Gun CQB.** Presented by Storm Mountain Training Center. Elk Garden, W. Va. \$495

**10-14. Crime Scene Technology 2.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650

**10-21. Underwater Police Science & Technology.** Presented by the Metro-Dade Police Department. Miami. \$645

**11-13. Street Survival '97.** Presented by Calibre Press. Harrisburg, Pa. \$189

**17-21. Criminal Investigative Analysis (Criminal Profiling) Training.** Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Waltham, Mass. \$450

**17-21. Carbine CQB.** Presented by Storm Mountain Training Center. Elk Garden, W. Va. \$495

**17-21. Crime Scene Technology 3.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650

**18-20. High-Risk Incident Management.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450

**19-20. Criminal Justice Grant Writing.** Presented by Justice Planning & Management Associates. Costa Mesa, Calif. \$275

**19-21. Street Survival '97.** Presented by Calibre Press. Alexandria, Va. \$189

**19-22. 49th Annual Meeting of the American Society of Criminology.** San Diego

**20-21. Breakthrough Strategies to Teach & Counsel Troubled Youth.** Presented by Youth Change. Austin, Texas. \$125

**20-21. Tracing Illegal Proceeds.** Presented by the Investigation Training Institute. Nashville, Tenn. \$395

**24-25. OCAT Instructor/Use of Force-Surviving a Legal Encounter.** Presented by the National Criminal Justice Training Council. Pittsburgh. \$295

## For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

**Alpha Group Center for Crime & Intelligence Analysis Training,** P.O. Box 8, Montclair, CA 91763 (909) 989-4366.

**American Society of Criminology, Attn.:** Sarah Hall, 1314 Kinnear Rd., Suite 214, Columbus, OH 43212 (614) 292-9207. Fax (614) 292-6767 E-mail 76551.201@compuserve.com

**Calibre Press,** 666 Oundee Rd., Suite 1607, Northbrook, IL 60062-2727 (800) 323-0037. Fax (708) 498-6869 E-mail. Seminar@CalibrePress.com

**CQC Service Group,** Kingsbury Lane, Billerica, MA 01862 (617) 667-5591.

**Criminal Justice Institute,** College of Lake County, 19351 W. Washington St., Grayslake, IL 60030-1198 (847) 223-6601, ext. 2937 Fax. (847) 548-3384

**CSTAC Inc.,** P.O. Box 2172, Woodbridge, VA 22193. (703) 878-7940. Fax. (703) 670-5368. Internet: www.cstac.com.

**Davis & Associates,** P.O. Box 6725, Laguna Niguel, CA 92607. (714) 495-8334

**Drug Policy Foundation, Attn.:** Whitney A. Taylor, 4455 Connecticut Ave., NW, Suite B-500, Washington, DC 20008 (202) 537-5005. Fax: (202) 537-3007 E-mail: taylor@dpf.org.

**Executive Protection Institute,** Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611 (540) 955-1128.

**FitForce,** 1607 N. Market St., P.O. Box 5076, Champaign, IL 61825-5076 (217) 351-5076. Fax: (217) 351-2674

**Florida Crime Prevention Association,** c/o Nuss & Associates Inc., (407) 365-0985

**Hutchinson Law Enforcement Training, LLC,** P.O. Box 822, Granby, CT 06035 (860) 653-0788 E-mail dhutch@snet.net Internet. http://www.patriotweb.com/hlet.

**Institute of Police Technology & Management,** University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

**International Association of Chiefs of Police,** P.O. Box 90976, Washington, DC 20090-0976 1-800-THE IACP Fax (703) 836-4543

**Investigation Training Institute,** P.O. Box 669, Shelburne, VT 05482. (802) 985-9123

**Justice Planning & Management Associates,** P.O. Box 5260, Augusta, ME 04332 (207) 582-3269

**Metro-Dade Police Department,** Training Bureau, 9601 NW 58th St., Building 100, Miami, FL 33178-1619 (305) 715-5022

**National Association for Civilian Oversight of Law Enforcement,** P.O. Box 1110, Lanham, MD 20703. (301) 731-5808. Fax. (301) 794-0264

**National Criminal Justice Training Council,** P.O. Box 1003, Twin Lakes, WI 53181-1003. (414) 279-5735 Fax: (414) 279-5758 E-mail NCJTC@aol.com.

**National Tactical Officers Association,** P.O. Box 529, Doylestown, PA 18901 (800) 279-9127. Fax: (215) 230-7552.

**Northwestern University Traffic Institute,**

555 Clark St., P.O. Box 1409, Evanston, IL 60204 (800) 323-4011

**Public Safety Institute,** University of North Florida-IPM, P.O. Box 607130, Orlando, FL 32860-7130 (407) 647-6080 Fax (407) 647-3828.

**Public Safety Training Inc.,** P.O. Box 106, Oak Harbor, OH 43449 (419) 732-2520

**R.E.B. Training International Inc.,** P.O. Box 845, Stoddard, NH 03464 (603) 446-9393 Fax. (603) 446-9394

**RISS National Gang Conference,** Attn Ms. Trellis O'Alemerie, (904) 385-0600, ext. 227 E-mail: idalemerie@ric.com.

**SEARCH,** 7311 Greenhaven Or., Suite 145, Sacramento, CA 95831. (916) 392-2550

**Southwestern Law Enforcement Institute,** P.O. Box 830707, Richardson, TX 75083-0707. (214) 883-2376 Fax. (214) 883-2458

**Storm Mountain Training Center, Rte. 1,** Box 360, Elk Garden, WV 26717 (304) 446-5526. Internet www.stormmountain.com.

**University of Houston-Downtown,** Criminal Justice Center, 1 Main St., Room 606-S, Houston, TX 77002 (713) 221-8690 Fax (713) 221-8546

**Wicklander-Zulawski & Associates Inc.,** 4932 Main St., Downers Grove, IL 60515-3611 (800) 222-7789 Fax (630) 852-7081 E-mail Register@W-Z.com.

**Youth Change,** 275 N. 3rd St., Woodburn, OR 97071. 1-800-545-5736. Internet www.youthchg.com

## Rethinking wiretaps in the digital age

Continued from Page 5

mation, in which routing and message content are huddled together. Communications experts believe that eventually all voice and data communications will be carried by packet-switching networks.

"In the proposed standard, industry and FBI have tacitly agreed not to try to insure that law enforcement agencies get only the information appropriate to the level of authorization in hand," the privacy groups said in comments they planned to file with the FCC.

In July, lobbyists for the cellular phone industry asked the FCC to arbitrate its dispute with law enforcement over the design of the new network systems, following a series of sometimes contentious meetings between the two sides. At issue is how much information should be made available to authorities and how fast the redesigned switching systems must provide it.

Industry officials announced on July 15 said that they would petition the FCC to resolve the two-year-old dispute, saying that negotiations with law enforcement officials are at a standstill. "We've come to an impasse and only the FCC can resolve it," Stewart Baker, a Washington attorney representing the industry, told The New York Times.

While the law calls on the telephone industry to spend \$500 million in the effort, industry officials warn that the cost of making the modifications will run into the billions of dollars. They

also charge that the FBI overstepped its role in the effort, and is trying to dictate the standard-setting process. They say the law specifies only that the bureau be consulted during the development of standards.

The situation also puts the industry at risk for being sued by privacy groups. They add, because law enforcement wants the ability to continue to eavesdrop on a telephone conversation even after the subject of a court-ordered wiretap has ended the conversation.

"We're taking this action out of monumental frustration," said Thomas E. Wheeler, president of the Cellular Telecommunications Industry Association. With an October 1998 deadline looming, Wheeler said association members are increasingly concerned that without a standard in place, the industry will not have enough time to develop new products that comply with the law. Under the law, failure to meet the deadlines will result in fines of up to \$10,000 a day.

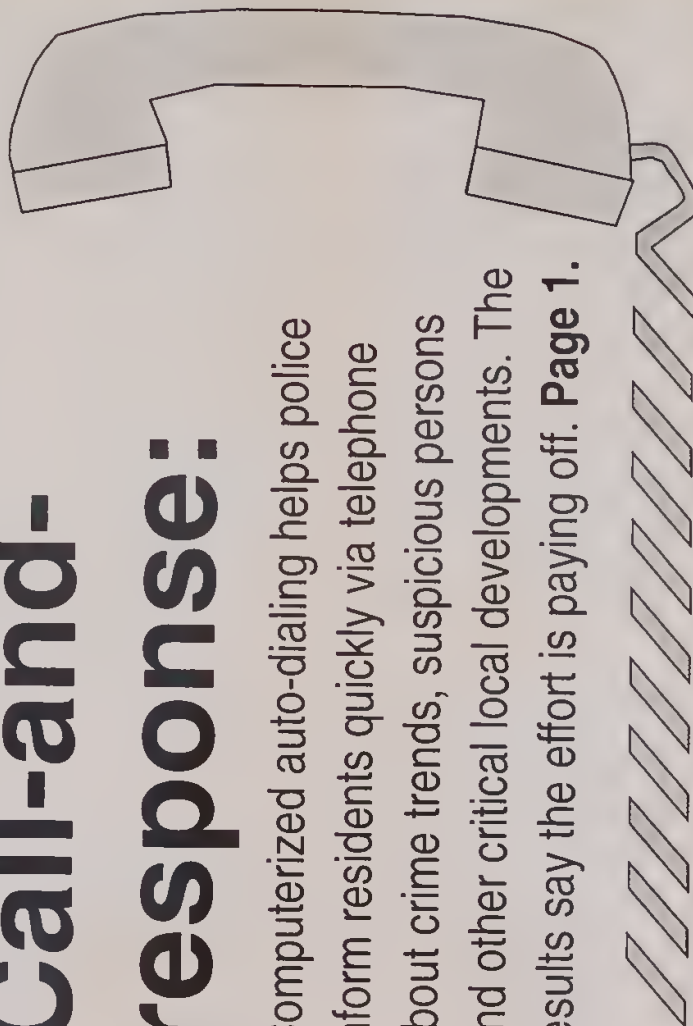
The Law Enforcement News Upcoming Events section:

Where upwardly mobile law enforcement careers are born and raised.



## Call-and-response:

Computerized auto-dialing helps police inform residents quickly via telephone about crime trends, suspicious persons and other critical local developments. The results say the effort is paying off. **Page 1.**



## Wonders Down Under:

A team of police officers takes on the 10-day, 300-mile Eco-Challenge endurance race through some of Australia's most daunting terrain. To find out how they did, run, swim, ride or rappel to **Page 7.**



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### What They Are Saying:

"I've done marathons, triathlons and long-distance biking, but this is the hardest race in the world. You're out there with little food and water, just surviving."

— New York City police Sgt. John Cummings, after he and three other officers competed in the 300-mile Eco-Challenge endurance race in Australia. (Story, Page 7.)